

ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]

Adopted and Filed

Pursuant to the authority of Iowa Code sections 15.104 and 15.106, the Iowa Department of Economic Development hereby amends Chapter 103, "Information Technology Training Program," Iowa Administrative Code.

Notice of Intended Action was published in the Iowa Administrative Bulletin on August 12, 2009, as **ARC 8032B**.

The amendments update Iowa Code citations; add references to 2009 Iowa Acts, Senate File 142, which permits moneys in the Innovation and Commercialization Fund to be used for information technology training; expand the program to businesses outside the targeted industries of biosciences, advanced manufacturing, and information technology; and limit eligible equipment or software costs to \$1,000, respectively.

A public hearing about the proposed amendments was held on September 2, 2009. The following comments were received:

- We would support the rule change to include companies outside the targeted industries. As a member of the technology community, we certainly can see the benefit of expanding the definition to offer the ability for many companies to better provide training and improve the technology image and climate of the state. – Michael Bird, President/Owner, Spindustry Interactive, Des Moines

- I support these changes. – Dr. Eugene Wallingford, Department of Computer Science, Department Head, University of Northern Iowa

- I have three specific businesses I work with who have expressed interest in this grant to me but they currently do not qualify. These are just a few companies that this grant can help curb the cost of training during these economic times. – Justin Johnson, Account Executive, New Horizons of Cedar Rapids

As a result of these comments, no changes were made to the final amendments. The final amendments are identical to the proposed amendments.

The Iowa Economic Development Board adopted these amendments on September 17, 2009.

These amendments will become effective on November 11, 2009.

These amendments are intended to implement Iowa Code section 15.411 as amended by 2009 Iowa Acts, Senate File 142.

The following amendments are adopted.

ITEM 1. Amend **261—Chapter 103**, parenthetical implementation statutes, as follows:
(15,83GA,SF142)

ITEM 2. Amend rule 261—103.1(15,83GA,SF142) as follows:

261—103.1(15,83GA,SF142) Authority. The authority for establishing rules governing the information technology training program under this chapter is provided in 2007 Iowa Acts, House File 829, section 4(5) Iowa Code section 15.411(10).

ITEM 3. Amend subrule 103.6(2) as follows:

103.6(2) Equipment and software, when used for training, may be an allowable cost. If equipment or software is purchased for use in training but is subsequently retained for use in the general operation of the applicant's business, only the prorated portion of the equipment or software costs directly related to the training shall be eligible for program funding. Prorated costs for equipment or software shall not exceed \$1,000, respectively.

ITEM 4. Amend rule 261—103.7(15,83GA,SF142) as follows:

261—103.7(15,83GA,SF142) Eligible business. To be eligible for this program, the business, or a department of the business, must be engaged in the delivery of information technology services ~~in the~~

~~targeted industries of biosciences, advanced manufacturing, or information technology as identified by the North American Industry Classification System, and the business must be located in Iowa.~~

ITEM 5. Amend subrule 103.13(3) as follows:

103.13(3) Reporting. An applicant shall submit any information requested by the department in sufficient detail to permit the department to prepare the report required pursuant to ~~2007 Iowa Acts, House File 829, section 10,~~ Iowa Code section 15.104(9) "I" and any other reports deemed necessary by the department, the board, the general assembly or the governor's office.

ITEM 6. Amend ~~261~~—**Chapter 103**, implementation sentence, as follows:

These rules are intended to implement Iowa Code ~~Supplement~~ section 15.411(5) and 2009 Iowa Acts, Senate File 142.

[Filed 9/17/09, effective 11/11/09]

[Published 10/7/09]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 10/7/09.